Colorado Department of Public Health and Environment



Medical Marijuana Registry

Physician Update April 2013

This *Physician Update* provides a brief overview of policies, procedures and activities at the Medical Marijuana Registry For questions or comments, please contact us at 303-692-2184 or medical.marijuana@state.co.us.

The Medical Marijuana Registry supports Colorado citizens' medical care needs by administering a statewide program for legal access to medical marijuana.

Modified Application Processes

The Registry is excited to announce *all backlogs have been eliminated*. Applications are being processed within 35 days and all other forms processed generally within four weeks. Also, the *application rejection rate has dropped* from a high of 24 percent to a steady 10 percent for the past several months. Following are a few of the procedural changes that have helped reduce rejection rates and speed processing.

- Retention of rejected applications: The Registry no longer returns rejected paperwork to patients along with the Rejection of Application form requesting corrections. By retaining the patient's paperwork, the Registry is able to provide more direct customer service to patients with questions about corrections.
- 2. Application corrections may be faxed and/or e-mailed: Recently the Registry informed its partners that patients could submit supplemental paperwork by fax or e-mail. Only requested corrections to applications are accepted by fax or e-mail, all other forms and paperwork must be mailed to the Registry. Paperwork received by fax or e-mail that is not in response to a Registry request is shredded. To submit non-monetary corrections:
 - **Send by fax:** Submit a copy of the Rejection of Application form, the requested changes to the attention of Customer Service at 303-758-5182.
 - E-mail corrections: Send a scanned copy of the Rejection of Application form and the requested paperwork to medical.marijuana@state.co.us. Put "Customer Service" in the subject line.
 - **If you do not have the Rejection of Application form:** Write the last four digits of the patient's social security number or his/her date of birth on the paperwork.
 - When sending photo IDs or social security cards: The background colors and pictures on photo IDs and social security cards often turn black in the faxing process. On a copy machine, enlarge the document by 150% and lighten it so all printed information can be clearly read.
- 3. Physician verification faxes: Often the physician certification has a minor correction that is more easily remedied by contacting the physician. In these cases, the Customer Service Unit will send a verification fax to the physician requesting modified paperwork. The patient may still receive a rejection, but resolution is often faster.

Improve Patient Success

- Clearly identify debilitating condition(s). Many physician
 certifications are rejected because the patient's debilitating
 condition or etiology is not complete. If details are provided
 in the comment section, indicate "See Comments" in the
 etiology line when 'severe pain' is the condition selected.
- 2. Provide treatment plans for minor patients. At times minor applications are referred for Executive Medical Director review. To facilitate the review and speed the process, the Registry recommends physicians include a treatment plan with the physician certification that includes details of follow-up care and patient oversight.
- 3. Keep your DEA on file current. A significant number of applications are rejected because the physician's DEA certification on file with the Registry is expired. The Registry sends notice when this occurs, but it can be avoided by ensuring a copy of your DEA is sent to the office each time it is renewed. To verify DEA is current, please contact Customer Service at 303-692-2184, select option 1.
- **3.** Ensure accurate notarization. If your office provides notary services, please ensure forms are notarized correctly. The following errors are most common:
 - Notary and patient signature dates do not match. Please double check the dates before the patient submits forms. If the notary must correct the dates, have him/her initial by the change.
 - Wrong name is printed in the notary section. The first blank is for the name of the patient or caregiver depending on the form. Often we receive forms with the notary's name in that section.
 - Notary seals don't meet Secretary of State requirements. Effective August 2012, Secretary of State standards require any renewing notary to use only stampbased notary seals. The standardized seal looks like this:

JOHN Q. SAMPLE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20121234567
MY COMMISSION EXPIRES AUGUST 8, 2016

4. Encourage patients to use the customer service line.

Customer service representatives are available Monday through Friday from 9 a.m. to 10 p.m. and on weekends from 9:00 a.m. to 5:00 p.m. Patients will get the quickest response by calling 303-692-2184 and selecting option 3.

Website: http://www.colorado.gov/cdphe/medicalmarijuana

Physician Certification Policies

Physicians recommending the use of medical marijuana to their patients should be aware of the following policies and procedures.

- 1. <u>Bona fide Physician-Patient Relationship:</u> Based on Board of Health regulations, only physicians who have a bona fide physician-patient relationship with a particular patient may "certify to the state health department that the patient has a debilitating medical condition and that the patient may benefit from the use of medical marijuana." A bona fide relationship means:
 - a. A physician and a patient have a treatment or counseling relationship, in the course of which the physician has completed a full assessment of the patient's medical history and current medical condition, including an appropriate personal physical examination;
 - b. The physician has consulted with the patient with respect to the patient's debilitating medical condition before the patient applies for a registry identification card; and
 - c. The physician is available to or offers to provide follow-up care and treatment to the patient, including but not limited to patient examinations, to determine the efficacy of the use of medical marijuana as a treatment of the patient's debilitating medical condition.
- 2. Physicians in 'Good Standing': The physician certification must be completed and signed by a M.D. or D.O. with an active Colorado medical license. Physicians with conditions or restrictions on their license, or out-of-state license, may not sign the form. Other medical professionals with designation other than M.D. or D.O. may not complete or sign the physician certification recommending medical marijuana.
- 3. <u>Submitting new Physician Certifications</u>: Physician certifications are submitted annually as part of the application process. Physician certifications cannot be received by fax from the physician's office. The patient must submit all paperwork in one package to ensure the application is complete and can be processed. <u>Physician certifications submitted separately from the application process will be rejected.</u> If a patient's homebound status has changed, the patient may submit form #MMR1011 Change of Homebound Status, which includes a physician certification.
- 4. Confidentiality of Patient and Physician Data: Information gathered from the application packet, including the physician certification, is used to determine a patient's eligibility for a Medical Marijuana Registration Card. All patient and physician records are confidential. The Registry is required to maintain statistical records and provide aggregate data to State regulatory agencies to ensure legislative compliance. This information does not include confidential indicators associated with patients or physicians.
- 5. Medical Diagnosis and Plant Count Recommendations: The Registry approves patient applications within legislative parameters. Registry staff are not qualified or permitted to provide guidance regarding diagnosis or plant count recommendations for patients. If a physician does not select a plant count option on the physician certification, the standard count of 6 plants/2 ounces of useable marijuana is entered into the patient's records. Once approved for a Registration card, patients may not adjust their plant counts until their cards are renewed. Physician certifications submitted prior to the renewal date are rejected as duplicate applications.
- 6. Match Signature to DEA Certificate: Staff verify all physician names and signatures against a list of doctors for whom we have current DEA certificates on file. When the physician's information on the physician certification does not match the DEA certificate, the form is rejected. Please provide the physician's full, legal name on all forms.

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